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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,681	11/25/2003	Matthew B. Shoemake	TI-35728	8351
23494	7590	11/17/2006	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			DAO, MINH D	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/722,681

Applicant(s)

SHOEMAKE ET AL.

Examiner

MINH D. DAO

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Awater etal. (US 7,046,649).

Regarding claim 1, Awater teaches a dual platform communication controller for use with a wireless communication system (see fig. 1), comprising:

A signal interpreter coupled to said wireless communication system and configured to recognize a first signal packet based on a first communication standard and a second signal packet based on a second communication standard (see figs. 1 and 2; col. 3, line 10 to col. 4, line 60); and a traffic manager coupled to said signal interpreter and configured to provide a deterministic time-sharing between said first and second signal packets within said wireless communication system (see figs. 1 and 2; col. 5, line 15 to col. 6, line 57). The control means and the Interoperability device 106 of Awater read on the signal interpreter and the traffic manager of the present invention.

Regarding claim 2, Awater teaches the controller as recited in claim 1 wherein said first communication standard is configured to be IEEE 802.11 (see figs. 1 and 2; col. 3, line 10 to col. 4, line 60).

Regarding claim 3, Awater teaches the controller as recited in claim 1 wherein said second communication standard is configured to be Bluetooth (see figs. 1 and 2; col. 3, line 10 to col. 4, line 60).

Regarding claim 4, Awater teaches the controller as recited in claim 1 wherein said traffic manager is configured to provide said deterministic time-sharing between said first and second signal packets based on a real-time requirement (see figs. 1 and 2; col. 3, line 10 to col. 4, line 60).

Regarding claim 5, Awater teaches the controller as recited in claim 1 wherein said traffic manager is configured to provide said deterministic time-sharing between said first and second signal packets based on a period of time (see figs. 1 and 2; col. 3, line 10 to col. 4, line 60).

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Regarding claim 6, Awater teaches the controller as recited in claim 1 wherein said traffic manager is configured to provide said deterministic time-sharing between said first and second signal packets by inhibiting a transmission capability of at least one of said first and second signal packets (see figs. 1 and 2; col. 3, line 10 to col. 4, line 60; also see col. 5, line 15 to col. 6, line 57).

Regarding claim 7, Awater teaches that the controller as recited in claim 1 wherein said traffic manager is further configured to operate in a default state having a listening mode and a standby mode (see col. 1, line 51 to col. 2, line 13). Since Awater teaches a CSMA/CA (Carrier Sense Multiple Access with the use of Collision Avoidance) that is well known in the art to "listen-before-talk", therefore this teaching of Awater inherently reads on the above limitation of the present invention.

Regarding claim 8, the claim includes the limitations as that of claim 1, and therefore is interpreted and rejected for the reason set forth in the rejection of claim 1.

Regarding claim 9, the claim includes the limitations as that of claim 2, and therefore is interpreted and rejected for the reason set forth in the rejection of claim 2.

Regarding claim 10, the claim includes the limitations as that of claim 3, and therefore is interpreted and rejected for the reason set forth in the rejection of claim 3.

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Regarding claim 11, the claim includes the limitations as that of claim 4, and therefore is interpreted and rejected for the reason set forth in the rejection of claim 4.

Regarding claim 12, the claim includes the limitations as that of claim 5, and therefore is interpreted and rejected for the reason set forth in the rejection of claim 5.

Regarding claim 13, the claim includes the limitations as that of claim 6, and therefore is interpreted and rejected for the reason set forth in the rejection of claim 6.

Regarding claim 14, the claim includes the limitations as that of claim 7, and therefore is interpreted and rejected for the reason set forth in the rejection of claim 7.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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